Appendix.

[Vide answer to starred question No. 325 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 5th August 1955, page 176 supra.]

Articles of agreement made this eighth day of April of one thousand nine hundred and fifty-four between Sri S. R. Krishnamurthy of the first part and the Governor of Madras of the second part.

Whereas the Government of Madras (hereinafter referred to as the Government) have engaged the party of the first part and the party of the first part has agreed to serve on the terms and conditions hereinafter contained as part-time Consulting Engineer to Government (Civil) in the Electricity Department.

Now these presents witness and the parties hereto respectively agree as follows :—

1. The party of the first part shall submit himself to the orders of the Government and shall remain in the service of the Government for a term of six months commencing on the 1st day of October 1953, subject to the provisions herein contained :

Provided that either party may at any time determine this agreement by giving to the other one calendar month's notice in writing ; but such determination shall not prejudice in any way the leave and other privileges due to the party of the first part.

2. The headquarters of the party of the first part shall be at Madras.

3. The duties of the party of the first part shall be—

(*a*) to assist the Chief Engineer for Electricity in an advisory capacity in all important matters connected with Civil Engineering Works of the Electricity Department ;

(*b*) technical direction and control, without executive or administrative responsibilities over all important Civil Engineering matters in the Electricity Department, viz.,

(i) preparation of designs for important civil works ;

(ii) investigation of hydro-electric schemes and preparation of scheme reports ;

(iii) periodical inspections. at suitable intervals, of important civil works ; and

(iv) issue of directions to the Departmental Engineers to ensure quality, economy and expedition in all large construction works.

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4. The party of the first part shall be of Gazetted rank and his status shall be that of a Head of Department in all matters except those affecting the policy of the Government.

5. The party of thet first part shall, from the date of coming into force of these presents, be granted remuneration for part-time services at the rate of Rs. 1,000 (Rupees one thousand) per mensem plus dearness allowance at the usual rates. The remuneration from time to time payable to him under these presents shall be paid for such time as he shall serve under this agreement and actually perform his duties commencing from the aforesaid date and ceasing on the date of his quitting service or on the day of his discharge therefrom or on the day of his death if he shall die whilst in service.

6. If the party of the first part is required to travel in the interest of public service he shall be entitled to travelling allowance at the rate applicable to the Head of a Department under the Madras Travelling Allowance Rules, for the time being in force.

7. The party of the first part shall not be entitled to the benefits of any provident fund in respect of the service under these presents. He shall be entitled to leave for one-eleventh of the period he has worked as part-time Consulting Engineer (Civil). In addition, he will be eligible for the leave earned by him during the period of his service as Chief Construction Engineer (Electricity) in the Composite State of Madras before the 1st October 1953 and refused in Government Memorandum No. 2586-L/51-2, Public Works, dated the 21st May 1951, G.O. Ms. No. 2277, Public, Works, dated the 26th May 1952, G.O. Ms. No. 2937, Public Works, dated the 10th July 1953 and G.O. Ms. No 3939, Public Works, dated the 30th September 1953 subject, however, to any limitations that may be imposed by the Government in regard to the maximum amount of leave which may be availed of by the party of the first part. If he takes the refused leave in instalments during the period of employment as part-time Consulting Engineer to Government (Civil) and after his ultimate retirement or in one stretch after his ultimate retirement, he will be allowed to draw leave salary at Rs. 1,700 (Rupees one thousand and seven hundred (per mensem for a total period of five months and seven days and at Rs. 850 (Rupees eight hundred and fifty) for the remaining one month.

8. In case the party of the first part proposes to be absent from the State of Madras for a period exceeding fifteen days in a month during the period of the agreement the prior approval of the Chief Engineer for Electricity shall be obtained for the purpose.

9. The party of the first part shall be provided with suitable office accommodation and facilities necessary for carrying on his duties under these presents.

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10. The party of the first part shall be permitted to lend his services to other employers provided utilises generally half his time on the average for the State of Madras.

11. Notwithstanding anything herein contained, the pay and dearness allowance admissible under these presents whether payable in India or elsewhere shall be subject to any emergency cut that may be ordered from time to time by the Government for the same period and on the same terms as for other officers under the administrative control of the Government.

12. In respect of any matter in regard to which no provision has been made in this agreement, the provisions of the rules made or deemed to have been made under section 241 of the Government of India Act, 1935 and continued in force by Article 313 of the Constitution of India or the provisions of the rules made or deemed to have been made under the proviso to Article 309 of the Constitution of India in regard to State Services, shall apply to the extent to which they are applicable to the service hereby provided for and the decision of the Government as to their applicability shall be final.

In witness whereof S. R. Krishnamurthy, the party of the first part and V. P. Appadurai, the Chief Engineer for Electricity, Madras, acting for and on behalf of and by the order and direction of the Governor of Madras have hereunto set their hands.

Signed by the party of first part in the presence of—

(Signed) S. R. Krishnamurthy.

N. Venkataraman,
Senior Assistant (Administration),
Office of the Chief Engineer for Electricity, Madras-2.

Signed by the Chief Engineer for Electricity, Madras, acting for and on behalf and by the order and direction of the Governor of Madras in the presence of—

(Signed) V. P. Appadurai.

N. B. Kandaswamy,
Chief Operation Engineer (South),
No. 157, *Mount Road, Madras-2.*

TRUTH ALONE TRIUMPHS